

REMARKS/ARGUMENTS

Claims 1, 2, 5, 6, 18, 19, 22, 23, 35 and 37-39 are now pending in the present application. Claims 1, 6, 18, 23 and 35 have been amended, Claims 37-39 has been added, and Claims 4 and 21 have been cancelled, herewith. Reconsideration of the pending claims is respectfully requested.

I. 35 U.S.C. § 102, Anticipation

The Examiner rejected Claims 1-2, 4-6, 18-19, 21-23 and 35 under 35 U.S.C. § 102(b) as being anticipated by Nelson et al (hereinafter, "Nelson", 5,835,720). This rejection is respectfully traversed.

Claim 1 has been amended to include features previously recited in Claim 4 (which is thus being cancelled herewith). With respect to amended Claim 1, Applicants urge that the cited reference does not teach the claimed feature of "*automatically altering the established order in which the alternative discovery methods should be performed according to a first number of devices compliant to the first discovery method and a second number of devices compliant to the second discovery method according to the dynamically generated record*" (emphasis added). This claimed feature advantageously allows for *automatically altering the established order according to the number of devices* that are compliant with each of the discovery methods, thus advantageously allowing for prioritizing the order of the discovery methods to be used (Specification page 7, lines 12-23). The cited reference provides no ability to automatically alter the order of discovery methods, as the particular discovery method to be used is a manual, user-specified operation (col. 5, lines 22-32). In rejecting Claim 4 (whose features are now a part of amended Claim 1), the Examiner cites Nelson col. 8, lines 41-60 as teaching this claimed feature. Applicants urge that this passage merely describes a mini-sweep technique using the Fast Ping method, where the network manager sends out batches of ICMP echo requests to determine which devices respond or do not respond to such requests, in order to speed up device detection from what resulted from previously known serial-ping techniques. This does not teach *changing an order of what type of discovery method to use*, as it teaches *use of a single discovery method* (ICMP echo request). Thus, it is respectfully urged that amended Claim 1 is not anticipated by the cited reference, as every claimed element is not identically shown in such cited reference.

With respect to Claims 2 and 5, Applicants traverse for reasons given above with respect to Claim 1 (of which Claims 2 and 5 depend upon).

With respect to Claim 6, such claim has been amended to be in independent form. It is respectfully submitted that the cited reference merely describes a manual user selection of what type of discovery method to use (Nelson col. 5, lines 22-32), and does not teach or otherwise suggest using feedback from a previous discovery to modify the order of discovery methods which can then

advantageously be used in a subsequent discovery. Thus, it is urged that Claim 6 is not anticipated by the cited reference.

Applicants traverse the rejection of Claims 18 (and dependent Claims 19 and 22) and 35 for similar reasons to those given above with respect to Claim 1.

Applicants traverse the rejection of Claim 23 for similar reasons to those given above with respect to Claim 6.

In conclusion, the teachings of the cited reference do not contemplate a dynamic determination of how to discovery devices on a network based on historical information learned in a previous discovery operation. Instead, it merely teaches that a user can manually specify what type of discovery technique to use. The claimed invention thus advantageously advances the state of the art by adapting discovery and monitoring methods in accordance with previously determined device or network characteristics.

Therefore, the rejection of Claims 1-2, 4-6, 18-19, 21-23 and 35 under 35 U.S.C. § 102(b) has been overcome.

II. Newly Added Claims

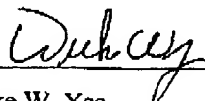
Claims 37-39 have been added herewith, and examination of such claims is respectfully requested.

III. Conclusion

It is respectfully urged that the subject application is patentable over the cited reference and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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